

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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**DEQONTAE H. SWANIGAN,**

Plaintiff,

v.

**Case No. 19-CV-984**

**TIFFANY ORTEGA,**

Defendant.

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**ORDER**

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Plaintiff Deqontae H Swanigan is representing himself in this § 1983 case. Swanigan is proceeding on a claim under the Fourteenth Amendment based on his allegations that the defendant's response to his serious medical needs was objectively unreasonable. On July 2, 2020, the defendant moved for summary judgment. A few days later, the court entered a notice and order informing Swanigan that his response materials were due by August 3, 2020. The court explained the procedure and requirements for responding to the defendant's motion and reminded him that, under Civil L. R. 7(d), a party's failure to respond to a motion is cause for the court to grant the motion. The court told Swanigan that, if he needed more time to respond to the motion, he had to file a motion asking the court to extend his response deadline, and that he had to file that motion *before* the response deadline. The court warned Swanigan that, if he did not respond to the defendant's motion or request additional

time to do so before the deadline, the court would grant the motion and dismiss this case.

The August 3, 2020 deadline has come and gone and Swanigan has neither responded to the defendant's motion nor requested more time to do so. The court previously warned Swanigan that failing to respond to a motion was cause for the court to grant the motion.

**IT IS THEREFORE ORDERED** that, under Civil Local Rule 7(d), the defendant's motion for summary judgment (ECF No. 30) is **GRANTED** based on Swanigan's failure to oppose the motion.

**IT IS FURTHER ORDERED** that this case is **DISMISSED**. The clerk will enter judgment accordingly.

Dated in Milwaukee, Wisconsin, this 11th day of August, 2020.

**BY THE COURT:**



NANCY JOSEPH  
U.S. Magistrate Judge